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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,763	12/21/2000	Gary G. Liu	10664-137001	4696
26181	7590	07/22/2004	EXAMINER	
FISH & RICHARDSON P.C. 3300 DAIN RAUSCHER PLAZA MINNEAPOLIS, MN 55402			ADAMS, JONATHAN R.	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 07/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,763

Applicant(s)

LIU, GARY G.

Examiner

Jonathan R Adams

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6 and 8-12 rejected under 35 U.S.C. 102(e) as being anticipated by Lewis et al, US Patent No 6233565 (hereafter referred to as '565).

3. As to claim 1, 2, 9, 10, and 12:

'565 teaches a system for transaction file distribution using one way hash functions to uniquely identify customers and their transactions comprising:

- Computer network / Internet connection (Col 4, Line 16, '565)
- Server / Server (Col 4, Line 13, '565)
- Electronic records stored in server / Transaction database (Col 4, Line 14, '565)
- Records contain information about a file / records the transaction (Col 4, Line 29, '565)

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- Records can be retrieved when the hash of the file is presented to server / User terminal retrieves file with computed hash function / User receipt with digital signature is scanned and verified by servers (Col 38, Line 42 et seq., '565), (Fig 3, '565)

4. As to claim 3:

Server uses one-way hash function on the file and stores the value in the associated record / receipt further comprises the server digital signature (Col 4, Line 42, '565)

5. As to claim 4:

Records include a signature produced by an authenticating agent associated with the file and retrieving record includes retrieving the signature / Receipts contain digital signature to verify the authenticity of a transaction (Col 25, Line 9 et seq., '565)

6. As to claim 5:

Authenticating agent is the author of the particular file / User receipt with digital signature is scanned and verified by servers (Col 38, Line 42 et seq., '565), (Fig 3, '565). The customer initiating transaction can be considered the transaction file author.

7. As to claim 6:

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Records include signature data produced when validating a signature associated with the file, retrieving electronic record includes retrieving the signature data /

File signed by client for the transaction server to verify ... resulting message signed by transaction server (Col 19, Line 62 et seq., '565)

8. As to claim 8:

File is a data file / All files on a computer are data files

9. As to claim 11:

Terminal is operable to display the information to the user terminal operator / the system permits the user to preview (Col 19, Line 53, '565)

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 7 rejected under 35 U.S.C. 103(a) as being unpatentable over as '565 in view of Aucsmith et al., US Patent No 5757915 (hereafter referred to as '915).

As to claim 7:


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12. '565 teaches a system for transaction file distribution using one way hash functions to uniquely identify customers and their transactions. '565 does not teach for the file to be a computer program. '915 teaches a cryptographic database system storing and hashing computer program files. It would have been obvious to a person of ordinary skill in the art at the time of invention to use computer programs as in '915 as the stored/retrieved file with the invention of '565. One of ordinary skill in the art would have been motivated to use computer programs as the stored/retrieved file as in '915 with the invention of '565 because to do so enhances the flexibility for transaction possibilities.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan R Adams whose telephone number is (703) 305-8894. The examiner can normally be reached on Monday – Friday from 10am to 6pm.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100